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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 In re:

Case No. 19-43978-MJH

12 ANGELA YUN DELGADO,

Debtor.

14 ANGELA YUN DELGADO,

Plaintiff,

15 v.

Adversary Case No. 20-04012-MJH

ANSWER TO COMPLAINT BY WELLS
FARGO EDUCATION FINANCIAL
SERVICES

16 U.S. DEPARTMENT OF EDUCATION, et. al.,
17 Defendants.

18 Wells Fargo Education Financial Services (“Wells Fargo”) answers Plaintiff’s complaint
19 as follows:

20 I. PARTIES

21 1.1 Admit Plaintiff is the bankruptcy debtor, and her bankruptcy case and filings speak for
22 themselves. Deny for lack of knowledge Plaintiff’s allegations concerning “ACP Program.”
23

24 1.2 Admit.

25 1.3 Admit.

26 1.4 Admit.

27 1.5 No response required.
28

II. FACTS

2.1 A. Deny for lack of knowledge.

2.2 B. Deny for lack of knowledge.

2.2 C. Admit Plaintiff is indebted to Wells Fargo on two private student loans, the combined unpaid balance of which is \$21,324.33 as of March 27, 2020. The monthly payments on the loans are \$113.58 and \$158.68, respectively. Admit the address for remitting payment.

2.2 Admit.

2.3 The bankruptcy case and filings speak for themselves. Deny that all debts were properly scheduled for lack of knowledge.

2.4 Deny for lack of knowledge.

2.5 Deny.

2.6 Deny.

2.7 Admit payments have been made on both loan since 2016, and admit there have been forbearances or deferments on both loans. Deny the remainder of the averment for lack of knowledge.

2.8 Deny for lack of knowledge.

III. THEORIES OF LIABILITY; DISCHARGE

3.1 Deny.

3.2 Deny.

3.3 Deny.

AFFIRMATIVE DEFENSES

1. The complaint fails to state a claim for relief.

2. Plaintiff's claims are barred by the doctrine of estoppel, waiver and unclean hands.

3. Plaintiff is not entitled to the undue hardship exception;

4. Wells Fargo reserves the right to add affirmative defenses.

PRAYER FOR RELIEF

Wells Fargo asks for the following relief:

1. Dismissal with prejudice;
2. That the debt owed to Wells Fargo be declared non-dischargeable and enforceable;
3. For such further relief as the Court may determine just.

DATED April 9, 2020

/s/ Joseph Ward McIntosh

Joseph Ward McIntosh, WSBA #39470

Attorney for Wells Fargo Education Financial Services

Declaration of Service

The undersigned makes the following declaration:

1. I am now, and at all times herein mentioned was a resident of the State of Washington, over the age of eighteen years and not a party to this action, and I am competent to be a witness herein.

2. On April 9, 2020 I caused a copy of the **Answer to Complaint by Wells Fargo Education Financial Services** to be served to the following in the manner noted below:

Angela Yun Delgado PO. Box 257-1689 Olympia, WA 98507 <i>Pro Se</i> Plaintiff / Debtor	<input checked="" type="checkbox"/> US Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> CM/ECF Electronic Notice
Richard D. Granvold Law Office of Richard D. Granvold, P.S. 31620 23 rd Ave. S., Suite 205 Federal Way, WA 989003 Attorney for Debtor	<input checked="" type="checkbox"/> US Mail, Postage Prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> CM/ECF Electronic Notice

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed this 9th day of April, 2020.

/s/ Kristine Stephan
Kristine Stephan, Paralegal